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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
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| 10/815,175 | 03/26/2004 | Kenichi Furukawa | 5854-32 | 7084 |

20575 7590 10/19/2006

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| EXAMINER |
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GUPTA, PARUL H

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| ART UNIT | PAPER NUMBER |
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2627

DATE MAILED: 10/19/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/815,175

Applicant(s)

FURUKAWA ET AL.

Examiner

Parul Gupta

Art Unit

2627

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 26 March 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-6 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-6 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date 7/2/04.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____.

DETAILED ACTION

1. Claims 1-6 are pending for examination as interpreted by the examiner. The IDS filed on 7/2/04 was considered.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Park, US Patent 6,049,513 in view of Worthington et al., US Patent 7,061,594.

Regarding claim 1, Park discloses a method for adjusting a focus bias in an optical disc drive (column 4, lines 63-66), comprising the steps of: rotationally driving an optical disc in a state that only focus servo is engaged (column 2, lines 13-20); driving an actuator of an optical pick-up so that a laser beam projected from the optical pick-up is moved in a tracking direction (column 2, lines 1-12) to obtain an HF signal ("RF signal"); and determining a focus bias by which a proper focusing point can be obtained based on the HF signal (column 3, lines 38-54). Park does not but Worthington et al. teaches controlling and monitoring the focusing without the tracking (column 16, line 63 to column 17, line 2). It would have been obvious to one of ordinary skill in the art at the time of the invention to include the concept of separating focusing and tracking as taught by Worthington et al. into the system of Park. The motivation would be to allow the user to control the heating of the disc (column 17, lines 1-2).

Regarding claim 2, Park discloses the method for adjusting a focus bias in an optical disc drive as claimed in claim 1, wherein the driving of the actuator is carried out by supplying

an actuator drive control signal ("focus servo control signal") to a tracking actuator of the optical pick-up in a state that tracking servo is not engaged (column 5, lines 12-15).

Regarding claim 3, Park discloses the method for adjusting a focus bias in an optical disc drive as claimed in claim 1, wherein the actuator drive control signal ("focus servo control signal") includes a signal which applies a drive voltage in the form of a pulse wave or a sinusoidal wave to the tracking actuator (column 5, lines 12-22).

Regarding claim 4, Park discloses the method for adjusting a focus bias in an optical disc drive as claimed in claim 1, wherein the focus bias value is determined based on a signal obtained by passing the HF signal into a peak/bottom holding circuit (column 5, lines 20-51).

Regarding claim 5, Park discloses the method for adjusting a focus bias in an optical disc drive as claimed in claim 1, wherein the adjustment of the focus bias is carried out every time upon an optical disc is loaded into the optical disc drive ("characteristic variation" of column 2, lines 53-58).

Regarding claim 6, Park discloses in figure 2 an optical disc drive equipped with a circuit by which the method described in any one of claims 1 to 5 can be implemented.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Parul Gupta whose telephone number is 571-272-5260. The examiner can normally be reached on Monday through Thursday, from 9:30 AM to 7 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrea Wellington can be reached on 571-272-4483. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

PHG
10/10/06


ANDREA WELLINGTON
SUPERVISORY PATENT EXAMINER